

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 08-3286

Michael Neudecker,

Appellant,

v.

Shakopee Police Department; Quality,
Lifestyles, Inc., doing business as
Friendship Manor Health Care Center;
Scott County Department of Human
Services; Laurie McMillen; City
of Shakopee; County of Scott,

Appellees.

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Appeal from the United States
District Court for the
District of Minnesota.

[UNPUBLISHED]

Submitted: October 13, 2009
Filed: December 11, 2009

Before MURPHY, COLLOTON, and SHEPHERD, Circuit Judges.

PER CURIAM.

In this 42 U.S.C. § 1983 action, Michael Neudecker appeals the district court's¹ adverse judgment based partially on a dismissal for failure to state a claim and

¹The Honorable Patrick J. Schiltz, United States District Judge for the District of Minnesota, adopting the report and recommendations of the Honorable Jeanne J. Graham, United States Magistrate Judge for the District of Minnesota.

partially on summary judgment. Upon de novo review, see Schaaf v. Residential Funding Corp., 517 F.3d 544, 549 (8th Cir.) (Fed. R. Civ. P. 12(b)(6)), cert. denied, 129 S. Ct. 222 (2008); Gordon v. Shafer Contracting Co., 469 F.3d 1191, 1194 (8th Cir. 2006) (summary judgment), we agree with the district court's disposition. In addition, we hold that the district court did not abuse its discretion in denying Neudecker appointed counsel, see Phillips v. Jasper County Jail, 437 F.3d 791, 794 (8th Cir. 2006) (standard of review; no statutory or constitutional right to appointed counsel in civil cases), and that none of the district court's other rulings constituted reversible error. Accordingly, we affirm. See 8th Cir. R. 47B.
